

86-00009

OFFICE OF THE ATTORNEY GENERAL



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STATE OF ALABAMA

OCT 8 1985

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Alabama Liquefied Petroleum
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P. O. Box 1742
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Liquefied Petroleum Gas Board -
Officers and Offices - Expenses

Members of committee created to
study LP-Gas Law who are LP Gas
members or state employees are
entitled to mileage and per diem
for attending committee meetings.
Private citizen members are not so
entitled.

Dear Mr. Pakruda:

The Office of the Attorney General has received your
opinion request regarding the payment of mileage and per
diem compensation for members of a committee appointed by the
Chairman of the Liquefied Petroleum Gas Board. Specifically,
you asked:

"Can members of this committee, to include the
two board members and the two members who are
not board members, be paid travel expense and
per diem for attendance of the committee meet-
ings?"

You further stated that the committee would consist of two
industrial board members, two state employees and two private
citizens.

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Regarding reimbursement for expenses for LP Gas Board members, Section 9-17-102, Code of Alabama 1975, reads, in part, as follows:

Board members shall receive travel expenses and per diem based at the rate that is currently prescribed by the state for its state employees, while attending official meetings of the board.

Regarding reimbursement for expenses for travel by state employees, Sections 36-7-20 and 36-7-22, Code of Alabama 1975, read, in part, as follows:

The amount allowable to a person traveling inside the state of Alabama in the service of the state or any of its departments, institutions, boards, bureaus, commissions, councils, committees or other like agencies for expenses other than transportation may be fixed by the governor at not less than \$35.00 nor more than \$50.00 per day, and such maximum or limit when fixed from time to time shall be uniform in operation as to all persons traveling within the state on official business.

and,

Persons traveling on official business for the state or any of its departments, institutions, boards, bureaus, commissions, councils, committees or other like agencies in private owned vehicles shall receive up to \$.25 per mile in lieu of their actual expenses for transportation. The exact amount shall be fixed by the governor but in no instance shall such expense be less than \$.20 per mile.

Upon reviewing the above-quoted statutes, it is the opinion of this office that the committee members who are also board members and state employees are entitled to reimbursement for travel expenses, but that the private citizen members are not so entitled. Section 9-17-102 provides the necessary authorization for travel compensation to Board members while Sections 36-7-20 and 36-7-22 likewise allow for travel expense payments to those members who are state employees.

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However, similar authorization is lacking for the reimbursement for travel expenses of private citizen members, and thus no provisions allow for the payment of their expenses.

It is hoped that this opinion fully answers your questions. If this office can be of any further assistance to you on this or any other matter please do not hesitate to call on us.

Sincerely,

CHARLES A. GRADDICK
Attorney General
By:

A handwritten signature in cursive script, reading "Louis C. Colley". The signature is written in dark ink and is positioned above the printed name and title of the signatory.

LOUIS C. COLLEY
Assistant Attorney General

CAG:LCC:mtb